



Office of the Secretary  
of Transportation

U.S. DEPARTMENT OF TRANSPORTATION  
DOCKETS  
Washington, D.C. 20590

98-39

Weekly Summary of Orders and  
Regulations

SEPTEMBER 21 - SEPTEMBER 25, 1998

Order	Docket	Summary	Date Action Taken
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(#) Published in the Federal Register.

98-9-22	UNDOC'D	<p>UNITED AIRLINES VIOLATION OF ORDER 94-1-19, 49 U.S.C. SECTION 41712, AND 49 U.S.C. SECTION 41705</p> <p>The Department approves this settlement and the provisions of this order as being in the public interest and finds: (1) that United Airlines violated Order 94-1-19 by failing to ensure Lufthansa's compliance with United's tariff Rule 35UA(F)(1)(e) in connection with code-share service; (2) that United violated the Air Carrier Access Act, 49 U.S. C. Section 41705, by discriminating against a qualified disabled passenger; and (3) that by engaging in the conduct described, United engaged in an unfair and deceptive practice and an unfair method of competition in violation of 49 U.S.C. Section 41712. Therefore, United Airlines is ordered to cease and desist from further violations of Order 94-1-19, 49 U.S.C. Section 41705, and 49 U.S.C. Section 41712 and is assessed \$3,000 in compromise of civil penalties that might otherwise be assessed for the violations found in paragraphs 2, 3, and 4 of this order.</p> <p>Served 9-23-98</p>	9-23-98
98-9-23	UNDOC'D	<p>LUFTHANSA GERMAN AIRLINES VIOLATION OF 49 U.S.C. SECTION 41310</p> <p>The Department approves this settlement and the provisions of this order as being in the public interest and finds that Lufthansa German Airlines violated 49 U.S.C. Section 41310 by failing to transport a qualified</p>	9-23-98

Order	Docket	Summary	Date Action Taken
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98-9-23	UNDOC'D	<p>disabled passenger due to the passenger's disability when no <i>bona fide</i> safety reason existed and by requiring the passenger to submit to a physical examination by a physician retained by the carrier and is therefore ordered to cease and desist from further violations of 49 U.S.C. Section 41310 and is assessed \$1,000 in compromise of civil penalties that might otherwise be assessed for the violation found in paragraph 2 of this order.</p> <p>Served 9-23-98</p>	9-23-98
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98-9-24	OST-97-2985 OST-98-3603 OST-98-3671 OST-98-3982	<p>APPLICATIONS OF SIMMONS AIRLINES, INC. d/b/a AMERICAN EAGLE; THE COMMUNITY OF SAVANNAH, GA/HILTON HEAD, SC; EXEC EXPRESS II, INC. d/b/a ASPEN MOUNTAIN AIR; ATLANTIC COAST AIRLINES FOR EXEMPTIONS FROM CFR PART 93, UNDER 49 U.S.C. 41714</p> <p>The Department grants, in part, the petition for reconsideration of American Eagle, by increasing from 16 to 18 the number of flight operations (departures or arrivals) that American Eagle may operate each day at Chicago O'Hare Airport during the slot-controlled period of 6:45 a.m. to 9:15 p.m. pursuant to the exemption from 14 CFR Part 93, Subparts K and S, granted in Order 98-4-21. This authority may be used only to provide Essential Air Service operations, comparable in quality to existing services, between Chicago O'Hare Airport and the cities of Bloomington, IL, Champaign, IL, and La Crosse, WI, and only to the extent that American Eagle performs an equal number of flight operations during the slot-controlled hours each day with regional</p>	9-24-98
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Order	Docket	Summary	Date Action Taken
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98-9-24	OST-97-2985 OST-98-3603 OST-98-3671 OST-98-3982	jet aircraft between Chicago O'Hare Airport and the cities of Duluth, MN, Fayetteville, AR, Montgomery, AL, and Shreveport, LA. The Department (1) rescinds the six-month limitation placed on American Eagle's exemption authority in order 98-4-21; (2) denies the remainder of American Eagle's petition for reconsideration, except to the extent granted; and (3) directs American Eagle to contact the Airspace and Traffic Law Branch of the Office of Chief Counsel in the FAA as soon as possible following issuance of this order to determine with the FAA the actual times for arriving and departing flights authorized by this order. Served 9-24-98	9-24-98
Intervening numbers have not been issued			
98-9-27	OST-96-1014	COMPLAINT OF EVELYN STAUB V. UNITED AIR LINES, INC. UNDER 49 U.S.C. SECTION 41705 The Department, acting under authority assigned in 14 CFR 302.205, dismisses the third-party complaint in this docket, effective as the final action of the Department within 30 days after service. Served 9-28-98	9-28-98
Intervening number has not been issued			
98-9-29	UNDOC'D UNDOC'D	APPLICATIONS OF HELICO SERVICE INC.; CANADIAN HELICOPTERS WESTERN FOR FOREIGN AIRCRAFT PERMITS UNDER 14 CFR PART 375 OF THE DEPARTMENT'S REGULATIONS The Department is denying requests by two Canadian specialty air service operators, Helico Service Inc. and Canadian Helicopters	9-29-98
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Order	Docket	Summary	Date Action Taken
98-9-29	UNDOC'D UNDOC'D	<p data-bbox="691 279 1287 499">Western, for foreign aircraft permits under 14 CFR Part 375 to conduct aerial spraying operations in the United States. Petitions for review of this action may be filed within ten days of the service date of this order. Served 9-29-98</p> <p data-bbox="691 541 1287 611">ORDERS NOT RELEASED AS OF 9-25-98: 98-9-21, 98-9-25, 98-9-26, AND 98-9-28.</p>	9-29-98